

FEB 12 2008
SOUTHERN DISTRICT OF CALIFORNIA 2008 MAY -2 AM 9:33

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Arnulfo SALAZAR-Molar

Defendant.

'08 MJ 1380

Magistrate Case No. KAAK

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section
1324(a)(2)(B)(iii)-
Bringing in Illegal Aliens
Without Presentation

The undersigned complainant being duly sworn states:

On or about **April 30, 2008**, within the Southern District of California, defendant **Arnulfo SALAZAR-Molar**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Lucia LOPEZ-Aragon**, **Sibeli MARTINEZ-Aquino** and **Mercedes RIVERA-Garcia** had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens, and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
 Sara Esparagoza, United States Customs
 and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **2nd** DAY OF May, 2008.


UNITED STATES MAGISTRATE JUDGE

cc/

PROBABLE CAUSE STATEMENT

The complainant states that **Lucia LOPEZ-Aragon, Sibeli MARTINEZ-Aquino and Mercedes RIVERA-Garcia** are citizens of a country other than the United States; that said aliens have admitted they are deportable; that their testimony is material; that it is impracticable to secure their attendance at trial by subpoena; and that they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On April 30, 2008, at approximately 2207 hours, **Arnoldo SALAZAR-Molar (Defendant)** made application for admission into the United States from Mexico at the San Ysidro, California Port of Entry vehicle primary lanes. Defendant was the driver of a blue Dodge Caravan. Upon inspection before a U.S. Customs and Border Protection (CBP) Officer, Defendant made two negative customs declarations and presented as his own, a Border Crossing Card (Form DSP-150) bearing the name Pedro Adrian Huerta Sifuentes. One visible passenger, a female minor, accompanied Defendant. Defendant presented, on behalf of the female minor, a Border Crossing Card (Form DSP-150) lawfully issued to another. The CBP Officer suspected that Defendant and the female passenger were imposters to the documents presented, conducted a cursory inspection of the vehicle and discovered a person behind the driver's seat, concealed under a black cloth. The vehicle and its occupants were subsequently escorted to secondary for further inspection.

In secondary, it was confirmed that the Defendant and female passenger were imposters to the documents presented and ten people were removed from the rear cargo area of the vehicle. All twelve occupants of the vehicle, including Defendant, were determined to be citizens of Mexico without entitlements to enter, pass-through, or reside in the United States. Three of the ten aliens concealed in the cargo area were retained as material witnesses and are now identified as **Lucia LOPEZ-Aragon (MW1), Sibeli MARTINEZ-Aquino (MW2) and Mercedes RIVERA-Garcia (MW3)**.

During a videotaped interview, Defendant was advised of his Miranda rights. Defendant acknowledged his rights and elected to answer questions without an attorney present. Defendant admitted that he does not have legal documents to enter the United States and that the document presented for entry into the United States does not belong to him. Defendant admitted he made the arrangements with a Hispanic male in Tijuana, Mexico to drive the vehicle and smuggle the eleven undocumented aliens into the United States. Defendant admitted he intended to deliver the vehicle and aliens to a location on Palomar Street in Chula Vista, California. Defendant stated that in exchange for driving the vehicle with the undocumented aliens, he was going to be transported to Los Angeles, California and his \$3000.00 USD smuggling fee would be waived.

During separate videotaped interviews, all three material witnesses declared they are citizens of Mexico without legal rights or entitlements to enter the United States. MW1 admitted she made arrangements with unknown persons in Mexico to be smuggled into the United States and was to pay \$3,000 USD. MW2 admitted family members made arrangements with unknown persons to have her smuggled into the United States for an undisclosed amount of money. MW3 admitted she made arrangements with unknown persons in Mexico to be smuggled into the United States and was to pay \$2,000 USD. All three material witnesses admitted that they were en route to Los Angeles, California.